

assigned a weight of 0.031).

In 1999, the total number of weighted filings (i.e., the sum of all weights assigned to cases and defendants) per judgeship was 472, down 2 percent from 484 in 1998. The total number of unweighted filings (i.e., the raw number of cases and defendants in categories that receive weights) remained stable at 476 compared to 474 for 1998.

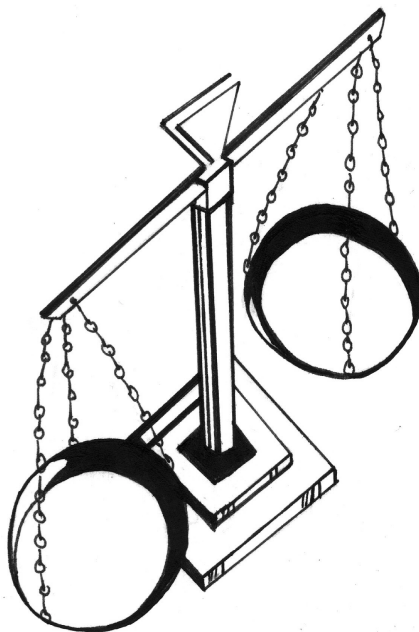
Despite the recent decline, weighted filings per judgeship were 5 percent higher in 1999 than in 1995. The total for unweighted filings in 1999 was 7 percent above that for 1995.

The total number of weighted criminal felony defendants per judgeship rose 3 percent in 1999 to 161, which was 26 percent higher than the number of weighted felony defendants in 1995. Weighted criminal filings grew in 53 of the 91 district courts whose filings receive weights (weights are not assigned to civil cases and criminal defendants in the Virgin Islands, Guam, and the Northern Mariana Islands), dropped in 36 districts, and remained unchanged in 2 districts. By far, the largest increase occurred in the Northern District of West Virginia, where weighted criminal filings rose 81 percent due to a 62 percent increase in unweighted criminal defendants filed and, more specifically, to an increase of greater than 100 percent for drug defendants filed from 85 to 175.

This year's 3 percent growth in weighted criminal felony defendants per judgeship reflects the 2 percent rise in criminal felony defendants nationwide. As indicated by the weighting system, the typical criminal action makes more demands on a judge's time than does the average civil matter. Criminal cases generally consume more time because they require greater attention from judges and are more likely to go to trial (7 percent of criminal defendants went to trial compared to 3 percent of civil cases). In 1999, weighted criminal filings were higher than unweighted criminal filings in all 91 district courts whose

filings receive weights. Appendix Table X1-A provides, by district, weighted and unweighted filings per authorized judgeship in 1999.

The total number of weighted civil filings was 311, a decrease of 5 percent over the total for 1998. From 1995 through 1999, weighted civil filings per authorized judgeship



declined 3 percent. The drop in weighted civil filings in 1999 was consistent with the one percent drop in civil filings for which case weights are assigned. (Total civil filings rose one percent over this period due, in part, to a 58 percent increase in reopened cases, which are not among the cases that receive weights.) Overall, weighted civil filings increased in 37 districts and declined in 54. By a wide margin, the greatest decline in weighted civil filings was a 66 percent decrease in the Eastern District of Michigan (MI-E). This reduction followed a 51 percent drop in weighted civil filings in MI-E in 1998. During 1997, more than 10,000 personal injury/product liability cases or claims involving breast implants had been

transferred to the Eastern District of Michigan from other districts or from state courts. The influx of breast implant cases into this district slowed considerably in 1998 as personal injury/product liability filings fell 56 percent to 4,582, then came to a halt altogether in 1999. In 1999, personal injury/product liability filings in MI-E declined 96 percent to 168.

In 84 of the 91 districts, the totals for weighted civil filings per judgeship were lower than the totals for unweighted civil filings. The court with the lowest ratio of weighted filings to unweighted filings per judgeship was the Northern District of Ohio (318 versus 557), which once again had a substantial number of asbestos cases. Asbestos cases receive a low weight (0.19) because these cases typically are transferred to the Eastern District of Pennsylvania as part of Multidistrict Litigation Docket Number 875 and, therefore, require less work for the originating district than does the usual civil case.

U.S. Magistrate Judges

Magistrate judges serve the federal judiciary and the public by performing diverse judicial duties as assigned by district judges. Their flexibility continues to be an asset to courts that must manage increasing caseloads with limited judicial resources. Supplemental Table S-18 summarizes the magistrate judges' workload.

In 1999, magistrate judges performed 647,970 judicial duties, 6 percent more than in 1998. Among these were 163,218 civil pretrial duties, including handling 68,043 motions, 24,666 settlement conferences, and 39,265 other conferences. They also performed 55,607 felony pretrial duties, including handling 24,623 motions, 5,793

conferences, and 2,302 evidentiary hearings.

Magistrate judges terminated 11,320 civil cases with litigants' consent in 1999, an increase of 10 percent over 1998. This use of magistrate judges to resolve civil cases, facilitated by means such as including them in a court's civil case assignment system, has been a key component of many courts' efforts to make the best use of judicial resources.

Magistrate judges submitted 25,791 recommended dispositions in prisoner cases, a drop of 6 percent over 1998, as prison litigation reform legislation continued to affect this segment of the workload. They completed 6,132 reports and recommendations in social security appeals, a rise of 17 percent. They disposed of 109,101 misdemeanor and petty offense cases, a 13 percent increase over 1998. Magistrate judges conducted 282,933 felony preliminary proceedings, 8 percent more than in 1998. Magistrate judges' volume of detention hearings (which are among the lengthiest of felony preliminary proceedings) reached 36,381 in 1999, an increase of 10 percent.

Judicial Panel on Multidistrict Litigation

The Judicial Panel on Multidistrict Litigation acted on 11,570 civil actions pursuant to 28 U.S.C. 1407 during the twelve-month period ending September 30, 1999. The Panel transferred 11,219 cases originally filed in 92 different district courts to 40 transferee districts for inclusion in coordinated or consolidated pretrial proceedings. The Panel denied the transfer of 71 actions. This year, cases involving asbestos, diet drugs, and breast implants were featured among the Panel's major determinations.

Since the Panel's creation in 1968, it has centralized 152,424 civil actions for pretrial

proceedings. As of September 30, 1999, a total of 9,315 actions had been remanded for trial, 313 had been reassigned within the transferee district, and 103,102 had been terminated in the transferee court. At the end of this fiscal year, 39,694 actions were pending throughout 49 transferee district courts.

Supplemental Tables S-20 and S-21 provide statistics on the number of cases transferred since the Panel was created and report data on the flow of cases into and out of the districts this year and since 1968. All statistical information on multidistrict litigation processing in the federal courts is maintained by the Clerk's Office of the Judicial Panel on Multidistrict Litigation. Information on specific cases or districts may be obtained from that office.

Criminal Justice Act Representations

In 1999, a total of 104,928 appointments of counsel were made under the Criminal Justice Act (CJA), an increase of 4 percent over 1998. The CJA provides funding for the representation of individuals with limited financial resources in federal criminal proceedings. In each district, a plan exists for providing such representation, either by private panel attorneys or by federal public or community defender offices.

This year, representations closed by the 64 federal or traditional community defender organizations (including representations in appeals, habeas corpus, revocation, and criminal matters) rose 4 percent to 59,862. Appointments of private attorneys increased 3 percent to 45,066. The increases in the numbers for representations and appointments of counsel are consistent with the increases in both the numbers of defendants in cases disposed of and the

numbers of defendants who appealed the decisions of district courts.

Although representations for all defendants rose in a number of districts, the growth in representations once again was concentrated in the five districts along the southwestern border of the United States. These districts accounted for nearly three-fourths of the increase in representations closed by federal and traditional community defenders, although the rates of increase for closings in these districts varied considerably. Closings in the Southern and Western Districts of Texas and in the District of New Mexico grew by 1,564 representations, while closings in the Southern District of California and in the District of Arizona grew by 108 representations.

Supplemental Table S-22 provides a summary of federal defender appointments under the CJA for the last five years. Appendix Table K-1 presents information on the representations each federal public and community defender organization provided during 1999.

U.S. Bankruptcy Courts

Following four years of increases to record heights, filings in the U.S. bankruptcy courts fell 6 percent to 1,354,376. The recent reduction in filings most likely resulted from lower interest rates last year, high employment, and continued general economic prosperity, which enabled consumers to pay their debts more easily. Tables 6 and 7 contain national data on bankruptcy cases. Detailed data on filings, terminations, and pending bankruptcy cases by district appear in Appendix Tables F and F-2.

This year overall drops in petitions were reported for all 12 regional circuits; 17 dis-

tricts reported increases, and 77 districts reported declines. The District of Delaware reported an increase of 47 percent primarily because it received more than 1,700 chapter 11 cases (many of those chapter 11 filings involve a few companies and are likely to be administered jointly). Fifteen districts reported decreases of 10 percent or more. The largest numerical declines this year occurred in the Central District of California (down 12,675 cases), the Northern District of California (down 5,272 cases), and the Eastern District of Virginia (down 3,105 cases).

This year's drop in petitions filed resulted from decreases in both nonbusiness and business petitions, which fell 5 percent and 18 percent, respectively. Nonbusiness filings, which constituted 97 percent of all bankruptcy filings, grew 58 percent from 1995 to 1999. Business filings, which accounted for 3 percent of all filings, were 24 percent below the 1995 total and fell to their lowest level since 1979. This year's decline in business filings resulted from drops of 20 percent in petitions under chapter 7 (down 5,730 cases), 34 percent in petitions under chapter 13 (down 3,051 cases), and 8 percent in petitions under chapter 12 (down 68 cases).

Following seven years of decline, filings of petitions under chapter 11 rose 2 percent.

This increase was due mostly to the unusually large number of filings in the District of Delaware noted above. These petitions were filed primarily by health care firms, funeral homes, and a maritime support business. Chapter 11, which accounted for 1 percent of all bankruptcy filings this year, normally is used to allow businesses to continue operations while they formulate plans to repay their creditors, although individuals also may file under this chapter.

The overall decrease in petitions this year resulted from drops in filings under all other chapters. Reductions in chapter 7 petitions (down 7 percent) and chapter 13 petitions (down 4 percent) largely caused the overall decline, with drops occurring in both business and nonbusiness filings. Under chapter 7, which accounted for 71 percent of all bankruptcy filings this year, assets are liquidated for distribution to creditors. In chapter 7 cases involving businesses, all property is sold and the proceeds distributed to the creditors. In nonbusiness chapter 7 cases, individual debtors are allowed to retain certain exempt property while their remaining property is sold to raise funds for the creditors. Under chapter 13, which accounted for 28 percent of all bankruptcy filings, creditors may be repaid, in full or in part, in installments over a three- to five-year period. Filings under chapter 12 fell 8 per-

Bankruptcy Filings Undergo Steep Rise Since 1995

Beginning in 1985, bankruptcy filings grew for eight years, then declined in 1993 and 1994. Although filings dropped in 1999, the number of petitions filed this year was 53 percent greater than the number filed in 1995. Because no new bankruptcy judgeships have been approved since the Bankruptcy Judgeship Act of 1992, the ratio of filings per authorized judgeship has risen from 2,710 filings per judgeship in 1995 to 4,155 in 1999. The large number of bankruptcy filings in the last five years most likely stemmed from the high level of consumer debt relative to personal income.

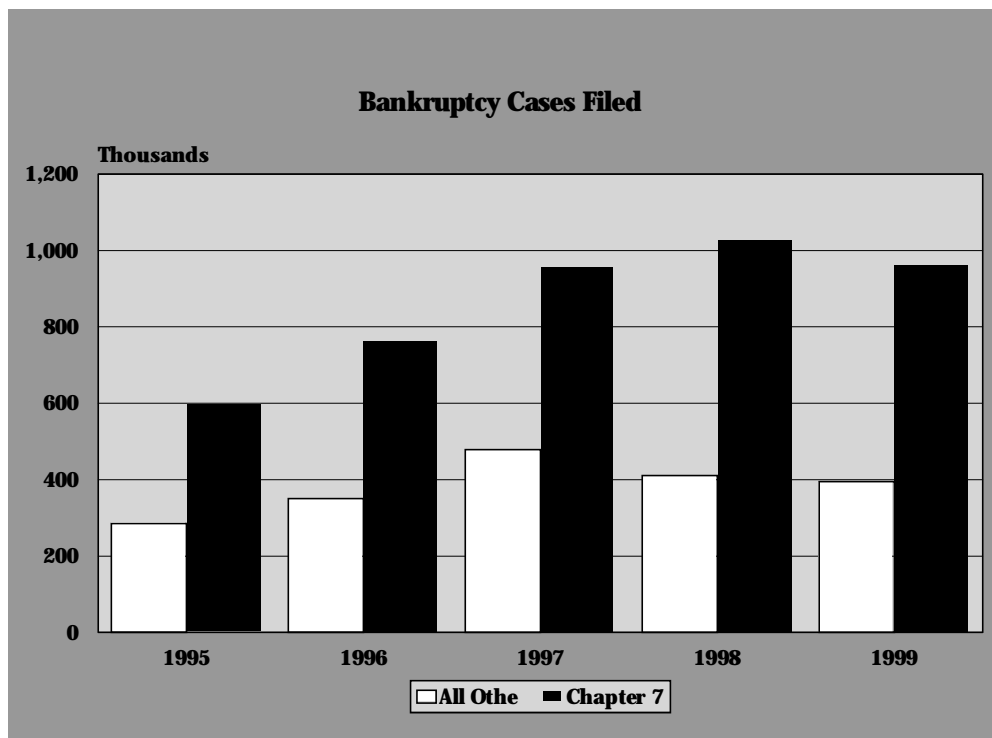
Table 6
U.S. Bankruptcy Courts
Bankruptcy Code Cases Filed, Terminated, and Pending
Fiscal Years 1995 Through 1999

Year	Total	Filed		Terminated	Pending
		Nonbusiness	Business		
1995	883,457	832,415	51,042	892,796	1,086,453
1996	1,111,964	1,058,444	53,520	1,005,025	1,189,213
1997	1,367,364	1,313,112	54,252	1,223,967	1,326,136
1998	1,436,964	1,389,839	47,125	1,377,206	1,384,179*
1999	1,354,376	1,315,751	38,625	1,356,026	1,382,529
% Chg. 1999 Over 1998	-5.7	-5.3	-18.0	-1.5	-0.1

Note: Bankruptcy Act case data are available separately.
 *Revised.

Table 7
U.S. Bankruptcy Courts
Filings by Chapter of the Bankruptcy Code
Fiscal Years 1995 Through 1999

Year	Total	Chapter				
		7	11	12	13	Other
1995	883,457	598,250	12,639	883	271,650	35
1996	1,111,964	761,652	12,554	1,096	336,615	47
1997	1,367,364	958,045	11,221	966	397,097	35
1998	1,436,964	1,026,134	8,765	879	401,151	35
1999	1,354,376	959,291	8,982	811	385,262	30
% Chg. 1999 Over 1998	-5.7	-6.5	2.5	-7.7	-4.0	-14.3



cent. Chapter 12, which accounted for less than 0.1 percent of all bankruptcy filings, addresses the needs of financially distressed family farmers.

Terminations of bankruptcy petitions dropped 1.5 percent to 1,356,026. This total was 52 percent higher than the number of bankruptcy petitions terminated in 1995. Pending bankruptcy cases remained stable, falling 0.1 percent to a total of 1,382,529 cases pending as of September 30, 1999, although 27 percent more bankruptcy cases were pending on September 30, 1999, than on the same date in 1995.

Adversary proceedings arise from bankruptcy cases and include actions to object to or revoke discharges, to determine the dischargeability of debts, and to obtain injunctions or other equitable relief. Filings of adversary proceedings dropped 26 percent to 64,047, the lowest level since 1990. This drop, however, followed an unusual increase last year of adversary proceedings arising from a single bankruptcy case in the

Northern District of New York, where more than 12,000 associated actions were filed. All circuits experienced decreases in adversary proceedings filings; 71 districts reported drops, and 23 districts reported growth. Five districts reported increases in filings greater than 30 percent. The number of adversary proceedings terminated fell 12 percent to 69,425, and adversary cases pending dropped 7 percent to 80,118 as of September 30, 1999. Data on adversary proceedings by district appear in Appendix Table F-8.

Probation

On September 30, 1999, the total number of persons under supervision was 97,190, a 4 percent rise over the number reported as of September 30, 1998. Persons serving terms of supervised release following their release from prison grew 8 percent. This

stemmed from a steady rise in both the number and percentage of convicted defendants sentenced to prison. From 1989 to 1999, the number of convicted defendants sentenced to prison jumped 99 percent, mostly because of a 49 percent increase (up 21,336 defendants) in criminal convictions. In addition, the percentage of convicted defendants sentenced to prison grew from 58 percent in 1989 to 77 percent in 1999. A higher percentage of defendants were imprisoned because of laws passed in the last 10 years requiring mandatory minimum sentences. (Although the U.S. Sentencing Guidelines could require lower sentences than the mandatory minimums set by Congress, thus far they have not done so.) As a result of these more punitive requirements and the increase in convictions, more

defendants are being sentenced to prison and serving terms of supervised release upon leaving prison.

The total number of persons under supervision rose 13 percent between 1995 and 1999, largely as a result of an increase in persons convicted and sentenced. As the number of persons under supervision has increased, the proportion of persons supervised for drug offenses has grown every year, rising from 36 percent in 1995 to 41 percent in 1999. This year, persons under supervision for drug offenses increased 6 percent to 39,777.

Persons serving terms of supervised release following their release from prison totaled 59,450, up 8 percent from 54,819 on September 30, 1998. Overall, persons serving terms of supervised release constituted 61

Table 8
Persons Under Supervision of the Federal Probation System
Fiscal Years 1995 Through 1999

Year	Received		Removed		Persons Under Supervision on September 30
	Total	Total Less Transfers	Total	Total Less Transfers	
1995	45,163	38,745	45,041	38,879	85,822
1996	48,367	41,877	45,804	39,380	88,966
1997	46,190	40,117	44,757	39,024	91,434
1998	45,586	39,925	43,903	38,897	93,737
1999	48,035	42,933	44,925	40,211	97,190
% Chg. 1999 Over 19985`	.4	7.5	2.3	3.4	3.7

percent of all persons under supervision, compared to 58 percent one year earlier. Cases involving probation imposed by district judges declined one half of one percent, and those involving probation imposed by magistrate judges decreased 4 percent. Because of the continuing decline in cases under the responsibility of the Parole Commission, parole cases dropped 11 percent, and those involving mandatory release fell 10 percent.

Although the number of persons under supervision has increased every year since 1995, the number of persons received for supervision has fluctuated. For example, the number of persons received for supervision in 1999 was 1 percent less than the number received in 1996. However, in 1999, the number of persons received for supervision (including transfers) increased 5 percent over the 1998 total to 48,035. The number of persons received for terms of supervised release rose 12 percent and for probation imposed by district judges increased 6 percent; the number of persons received for all other forms of supervision declined 9 percent. Detailed probation data appear in Table 8 and in the E series of the appendix tables.

The rise in persons received for supervision stemmed in part from the 39 percent increase in persons convicted and sentenced over the last five years, but the effect of this increase was tempered by the number of aliens, both legal and illegal, among those convicted and sentenced. Over the last 10 years, Congress has passed several laws that have resulted in the increased deportation of convicted and sentenced legal aliens. This has meant that both legal and illegal aliens sentenced to supervision generally are placed on inactive supervision status and deported rather than made to serve terms of supervised release. The number of persons received for inactive supervision in 1999 increased 23 percent over the total for 1998, climbing

from 7,489 to 9,178. (The E series of tables in the appendix does not include data on persons on inactive supervision status.) The types of actions in inactive supervision cases and the relatively small number of persons under supervision for immigration offenses suggest that the inactive supervision cases primarily involve aliens who have been deported. In 1999, a total of 1,885 persons were under supervision for immigration offenses, whereas the number of persons convicted and sentenced for immigration offenses rose from 3,648 persons in 1995 to 10,232 in 1999.

INVESTIGATIVE REPORTS

Probation officers prepared 192,904 investigative reports in 1999, a rise of 3 percent over last year. The largest increases occurred for collateral reports, which rose 9 percent (up 3,627 reports), and presentence reports, which grew 6 percent (up 3,413 reports). Collateral reports are written to assist another district in the preparation of a presentence report. Presentence reports are prepared for sentencing hearings.

Substance Abuse Identification/Treatment

Federal offenders may receive substance abuse treatment services either from local service providers under contract to probation offices or directly from probation offices that can provide these services. The percentage of offenders receiving contract services for drug and alcohol dependency was 65 percent, the same as in 1998. All other offenders receiving substance abuse treatment services obtained them directly from probation offices. Sixty-six percent of the drug-dependent clients and 58 percent of the alcohol-dependent clients received services from providers under contract.